

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

No. 1:10-cv-05760-SAS

SAMUEL E. WYLY and DONALD R. MILLER,
JR., in his capacity as the Independent Executor of
the Will and Estate of Charles J. Wyly, Jr.,

Defendants,

and

CHERYL WYLY, EVAN ACTON WYLY,
LAURIE WYLY MATTHEWS, DAVID
MATTHEWS, LISA WYLY, JOHN
GRAHAM, KELLY WYLY O'DONOVAN,
ANDREW WYLY, CHRISTIANA WYLY,
CAROLINE D. WYLY, MARTHA WYLY
MILLER, DONALD R. MILLER, JR., in his
individual capacity, CHARLES J. WYLY III,
EMILY WYLY LINDSEY, JENNIFER
WYLY LINCOLN, JAMES W. LINCOLN,
and PERSONS, TRUSTS, LIMITED
PARTNERSHIPS, AND OTHER ENTITIES
KNOWN AND UNKNOWN,
Relief Defendants.

**NOTICE OF SEC'S MOTION FOR DISGORGEMENT AND INJUNCTIVE RELIEF
AGAINST DEFENDANTS SAMUEL E. WYLY AND DONALD R. MILLER, JR., in his
capacity as the Independent Executor of the Will and Estate of CHARLES J. WYLY, JR.**

Pursuant to the Securities Act of 1933 and the Securities and Exchange Act of 1934, the Securities and Exchange Commission hereby moves this Court for a Final Judgment against Defendants Sam E. Wyly and Donald R. Miller, Jr., in his capacity as the Independent Executor of the Will and Estate of Charles J. Wyly, Jr. (collectively, "Defendants"), ordering the Defendants to pay disgorgement and prejudgment interest and enjoining Defendant Sam Wyly

from future violations of the Federal Securities Laws or serving as an officer or director of any issuer that has a class of securities registered pursuant to Section 12 of the Exchange Act [15 U.S.C. § 78l] or that is required to file reports pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)]. The SEC respectfully requests that this Court enter the accompanying Proposed Final Judgment.

Dated: February 6, 2015

Respectfully submitted

/s/ Bridget Fitzpatrick

Bridget Fitzpatrick

Martin Zerwitz (MZ-9765)

Gregory N. Miller (GM-5922)

John D. Worland, Jr. (JDW-1962)

Hope Hall Augustini

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Michael Roessner

Counsel for Plaintiff

SECURITIES AND EXCHANGE COMMISSION

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